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APR 02 2014

in the Chambers of
Judge
Nicholas G. Garaufis

William Brown pro se
70876053
Federal Prison Camp
PO Box 200
Lewisburg PA 17837

Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cannon Plaza East
Brooklyn New York 11201

Re: William Brown v United States
Civil Docket No. 11-4235 (NGG)
Related Case 1:04-cr-00159-NGG-7

Your Honor,

As a citizen, one is not prepared for the workings of the Judicial System. One is trained to believe that the system is an exercise in even handed discovery of the facts, thus leading to the truth. So, as I have experienced the system, and been victimized by it, allow me to state what has happened to me and my family.

Beginning at my bail hearing, when PreTrial Services recommended I be released on my own recognizance, due to my standing in the community and the lack of any criminal involvement over the course of my then sixty five years, the prosecution rejoins this recommendation and asks for a bail of two million dollars. He bases his request on the supposition that "because there was no evidence against me, it proves I was a master criminal."

II

Firstly, if the prosecutor had no evidence against me, what was presented to the grand jury in order to indict me? To underline this presumption of guilt the FBI Agent assigned to this case testified in open court that "After some four hundred hours of personal surveillance and taps on my business and personal phones he found no evidence of wrongdoing on my part." I do not now know the basis of my conviction on the efficacy of such a draconian sentence.

After my trial and upon appeal, my appeal attorney Mr. Duane White alluded to the cost of my prosecution as the key reason for this harshness. At the time I hoped that was not so. Now, I am not so sure.

At my first and only meeting with the prosecutor I was questioned about two corporations: Floradinos and Omega. In this light in order for a fraud to have been perpetrated one must be an issuer or selling agent. During the prosecutor's investigation he learned that all expenditures are legal if so stated in the prospectus. In the case of Omega, the legal team who wrote the prospectus divulged all fees. Upon learning this, Omega was dropped from the case. Conversely, the lawyers representing Floradinos did not record these fees in its prospectus. The office of the prosecution made that distinction. In dropping Omega the prosecutor shows his knowledge of who wrote the prospectus and who is liable. I had no hand

in creating the prospectus on, for that matter, acted in no way in legally representing that or any other corporation.

As to the role of selling Agent, I did not act as a principal at either Russo Securities or at Delta Asset Management. All orders executed by a brokerage must be examined and signed off by a principal of the brokerage. As stated previously, I held no position at Delta at all; not as a broker, principal or agent of any kind.

The sole connecting document that claims to connect me to the firm was an NASD Form FARM to the Branch of Delta with instructions to the secretary to sign my name. This information was given to the prosecutor and with knowledge that I never saw such a document, was submitted as evidence against me anyway. If I were a principal of Delta, or if I had any status at all, one would think that the President of Delta, Mr. Barry Swartz would have testified to that fact, as he was in fact a cooperating witness. Yet the prosecutor went with a bogus form, a form he was aware was false, rather than call the person who, if true, could attest to its authenticity. My role in the marketing of these two corporations was but diligence; see the potential of and management of the offering corporation.

IV

The office of the prosecution gets the full cooperation of both the SEC and the NASD. Any simple phone call would verify any claim I make. Therefore, they knew I was not a principal or exercised any control at all at either Russo or Delta. Without the Barman, this was no more than a sales practice violation. What motive could the prosecutor have for blowing this into a massive securities fraud and demonizing me in the bargain? I can only harken back to the elderly gentleman who appeared as a witness for the prosecution. When he was asked if he felt cheated by losing his investment, he replied in this manner. "I am no fool. Before I invested I drove from Georgia to Florida for an on sight inspection. Satisfied, I made an investment."

In an attempt to demonize before the jury, the prosecutor stated that I had my license revoked by the NASD. Thrown out of the Securities Business! He surely knew this was positively untrue. During the Dot. Com bust of 2002 I was, like most brokers, many complaints regarding sales practices. I defended myself in each case and was cleared of any sales fraud or fraudulent sales practices. After some eleven hearings all over the country, I was tired of the grind. When the SEC called and wanted me to appear at a hearing by

them, I REFUSED AND Filed Against them for harassment. The harasser OFFICER concurred. The SEE A Mistake Bureo, called AND suggested that since I WAS retired anyway, would I give up my LIFEACE. I voluntarily DID SO. The prosecutor knew this ALSO, but CADGED his DISCLOSURE AS IF I WERE the ENEMY of the Commission.

Now, some ten years later, AND spent INCARCERATED, I AM seventy FIVE AND NEARLY OF LITTLE OR NO consequence. What has been DONE to my FAMILY is irreparable. My dignity AND reputation has been dealt AN APPALLING Blow. My children ARE the OFFSPRING of a convicted felon. We ARE ALL DAMAGED, but not beyond REPAIR. Caught in the LIFE problem of AN overzealous prosecutor AND AN INAPT ATTORNEY, I, we, ARE the victim of the Perfect Storm.

CAN ANYTHING BE DONE to protect us, the just regular people FROM A system in which you MAY INDUCTED without representation AND TRIED IN A COURT system with a ninety percent conviction rate? I CANNOT EVER ATTEMPT AN ANSWER. I have just LIVED through ALL this.

Sincerely

William Bureo

Inmate Name: William Brewer
Register Number: 10026053

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Honorable Nicholas G. Cannata
United States District Court
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